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Employment, Social Affairs and Inclusion DG

Employment and Social Legislation, Social Dialogue
Social dialogue, Industrial Relations

Brussels, 6 February 2014

**SECTORAL SOCIAL DIALOGUE COMMITTEE MEETING
PRIVATE SECURITY**

**ALBERT BORSCHETTE CONFERENCE CENTRE
10 DECEMBER 2013**

MINUTES

Participants:

Employer representatives

Mr Eduardo Cobas Urcelay, APROSER, Spain
Ms Nathalie De Mulder, CoESS, Belgium
Mr Martin Altorfer, VSSU, Switzerland
Mr Anton Larsen, DI, Denmark
Mr Claude Lévy, SNES, France
Mr Riho Lutter, ESA, Estonia
Mr Richard Orgård Samuelsson, Almega, Sweden
Mr Björn Ericsson, Almega, Sweden
Mr Branco Slak, ZRSZV, Slovenia
Ms Jasna Toplisek, ZRSZV, Slovenia
Ms Silke Wollmann, BDSW, Germany

Employee representatives

Ms Anna Harvey, UNI Europa, Belgium
Mr Dimitris Theodorakis, UNI Europa, Belgium
Ms Klavdija Cibej, FGTB, Belgium
Mr Thibaut Montjardin, CGSLB, Belgium
Mr Tom Willems, FGTB-ACCG, Belgium
Mr Ivan Pace, GWU, Malta
Mr Jesús Arroyo, UGT, Spain
Mr Jesús Martínez Dorado, CCOO, Spain
Mr David Gigg, GMB, United Kingdom
Mr Markku Saikonen, PAM, Finland
Mr Stefan Andreasson, Transport, Sweden
Mr Tarsoly Antal, VSZSZ, Hungary
Mr Pál András Kővágó, VSZSZ, Hungary
Mr Sándor Szabó, VSZSZ, Hungary

European Commission

Mr Murad Wiśniewski, DG EMPL, Belgium (in the chair)

The draft minutes of the last SSDC meeting of 2 October 2012 were adopted without changes. The draft agenda was approved with two modifications: Point 4 was moved to the afternoon, due to the availability of the speaker, Professor Marc Cools of the Free University of Brussels, and points 6 and 7 were swapped at the request of Ms Anna Harvey.

1. New and upcoming Commission initiatives: Update

Mr Eduardo Cobas Urcelay briefly presented the most important implications of the revision of the public procurement directive for the private security sector. He stressed that the relevant articles were opportunities for the member states, although they had no obligation to apply them to the private security sector, as far as the award criteria were concerned. Mr Cobas Urcelay stated that the directive was so complex that many points still needed to be clarified. Hence, he expressed his gratitude for a number of key issues that had been clarified at the previous committee meeting by Ms Loredana Puiu of DG MARKT, such as those to do with articles 74 and 76 as well as 15 (2) of the directive. He closed by stressing that action by the social partners was crucial now.

Ms Harvey announced that UNI Europa would keep a vigilant eye on the transposition process. She congratulated CoESS to its workshop on public procurement that would be held in the following year. Mr Cobas Urcelay underlined that a level playing field was paramount for CoESS, which would also follow the transposition process closely, although the process would take some time. Both sides agreed that a declaration calling on their national affiliates to lobby could possibly be signed in early 2014.

2. Update on the Best Value Manual: Joint CoESS – UNI Europa project

Ms Nathalie De Mulder presented the Best Value Manual project that had just been accepted for co-financing by DG EMPL, starting with an overview of the existing Best Value Manual that had also been elaborated in the framework of a project in 2000. The new project would undertake an update of the existing manual, refer to the new rules for public procurement and changes in the market since 2000, and be translated into 14 languages. It would aim at being useful not only to private security, but also to other sectors, in line with the Commission's guide on socially responsible public procurement. An exchange of views with Ms Harvey ensued. Mr Cobas Urcelay linked the best practices that were to be enshrined in the manual with the transposition of the public procurement directive, as the manual would point out even clearer the opportunities that the member states had in the transposition process.

3. EU-OSHA OiRA tool

In the absence of Mr Lieven Eeckelaert of Prevent, the Belgian-based consultancy, Mr Cobas Urcelay held a presentation on the Online interactive Risk Assessment (OiRA) tool that had been developed in the framework of a project financed by the European Agency for Safety and Health at Work (EU-OSHA). As the project was now finished, he concluded that it was time to call on the national affiliates to use the tool. Ms De Mulder gave a live demonstration of the OiRA tool.

4. Third-party violence

Ms Harvey gave a brief overview of the work undertaken on the follow-up and implementation of the multi-sectoral guidelines to tackle work-related third-party violence. Ms De Mulder reaffirmed that private security had played a more passive role than other sectors, such as education or hospitals, but stated that the OiRA tool could now be communicated to the other sectors involved. Mr Cobas Urcelay held that private security was a special sector in this context – part of the problem and part of the solution at the same time. Hence, it would have been clear from the outset that it could not play the same role as other sectors. Since private security supported the

other sectors it provided services to, it would make sense to work together with one or more of these sectors and to join their activities.

5. The social dialogue agreement in the hairdressing sector

Mr Dimitris Theodorakis presented the agreement signed by the European social partners in the hairdressing sector and criticised the Commission's failure to submit the agreement for adoption by the Council, as would be required under article 155 (2) TFEU. The chairman explained that the agreement had not been rejected by the Commission, but was still under examination. However, Mr Theodorakis described the Commission's delay as unacceptable and as an interference into the autonomy of the social partners. On the basis of a model statement prepared by UNI Europa on this matter, Ms Harvey proposed to discuss the wording of a joint statement with CoESS in the coming weeks. Her proposal was accepted by Mr Cobas Urcelay who stated that, although the committee should clearly issue a statement in support of following the provisions of the treaty, the exact wording should be open for discussion.

6. CoESS/APROSER white book on the socio-economic value-added of private security services in Europe

Professor Cools held a presentation on the CoESS/APROSER white book on the socio-economic value-added of private security services in Europe, placing it in the context of the theoretical framework of the risk society and of added value analysis. Ms De Mulder pointed out that the white book was available for download on the CoESS website. Mr Cobas Urcelay highlighted how academic foundations were becoming ever more important for the work of the committee. An exchange of views with Mr Jesús Arroyo and Mr Jesús Martínez Dorado ensued.

7. Commission initiatives on enhancing EU co-operation in the prevention and deterrence of undeclared work

Following the recent consultation of the social partners by the Commission on possible future EU measures to prevent and deter undeclared work through improved co-operation between member states, Mr Cobas Urcelay asked for an open brainstorming to see if the committee should become active on this matter. He began by stating that there were a lot of undeclared work practices in Spain and that fighting them was a priority. While undeclared overtime had been at the centre of attention in the past, there were more sophisticated practices of undeclared work now. The seriousness of this situation was confirmed by Mr Arroyo. Mr David Gigg pointed out that undeclared work was a problem even in a heavy regulated country like Belgium, and the more so in Ireland and the United Kingdom, which was going through a change in the licensing process. Mr Ivan Pace described the conditions in Malta as hard, where employees often were often not granted any paid sick leave and were threatened by their employers not to report this.

Despite the already busy work programme, Ms Harvey proposed to come back to the issue in 2014, especially when the Commission would table a concrete proposal. She also suggested following up the situation in Malta, ideally with a Maltese employer representative. Mr Cobas Urcelay agreed on behalf of CoESS.

8. Work programme for 2014

Ms Harvey presented the work programme for 2014. Mr Cobas Urcelay explained that, unlike discussed at the previous committee meeting, cash-in-transit activities would not be graded as priority 1 but as priority 3. The programme was adopted.

9. Meeting dates for 2014

The chairman confirmed the meeting dates for 2014 stated on the agenda. Ms Harvey announced that 8 December 2014 would be impossible to attend for UNI Europa. It was agreed to try to change that date in the course of 2014. At the same time, it was already decided to move the plenary meeting from 8 December to 15 October 2014.

10. Any other business

The chairman presented the recent developments on the European occupational safety and health strategy, following the public consultation on this issue in the summer of 2013. He also informed the participants of the next Liaison Forum, focused on 15 years of sectoral social dialogue at EU level, which would take place on the following day and for which several committee members had already registered.